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6 Attorneys for Defendants,  
CITY OF SANTA PAULA, SANTA PAULA POLICE  
7 DEPARTMENT, INTERIM CHIEF ISMAEL  
CORDERO, OFFICER HECTOR RAMIREZ, and  
8 OFFICER CHAD PEPLINKSI

9 **UNITED STATES DISTRICT COURT**  
10 **CENTRAL DISTRICT OF CALIFORNIA**  
11

12 HILDA VASQUEZ, individually, and  
as personal representative of the  
13 ESTATE OF EDGAR GARCIA, THE  
ESTATE OF EDGAR GARCIA,

14 Plaintiffs,

15 v.  
16

17 CITY OF SANTA PAULA; THE  
SANTA PAULA POLICE  
DEPARTMENT; Interim Chief,  
18 ISMAEL CORDERO; OFFICER  
HECTOR RAMIREZ, individually  
19 and in his official capacity as a Police  
Officer for the CITY OF SANTA  
20 PAULA; OFFICER CHAD  
PEPLINSKI; individually and in his  
21 official capacity as a Police Officer  
for the CITY OF SANTA PAULA;  
22 and DOES 1 through 10, inclusive,  
individually and in their official  
23 capacities as POLICE OFFICERS for  
the CITY OF SANTA PAULA,

24 Defendants.  
25

CASE NO. CV13-07726-SH

**ANSWER TO FIRST AMENDED  
COMPLAINT; DEMAND FOR  
TRIAL BY JURY**

26  
27 Defendants CITY OF SANTA PAULA, SANTA PAULA POLICE DEPART-  
28 MENT, INTERIM CHIEF ISMAEL CORDERO, OFFICER HECTOR RAMIREZ,

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1 and OFFICER CHAD PEPLINKSI hereby answer plaintiffs' first amended complaint  
2 as follows:

3 1. Answering paragraph 1 of the first amended complaint, defendants admit  
4 that the case arises from the shooting death of Edgar Garcia on July 28, 2012.  
5 Defendants deny the remaining allegations of paragraph 1.

6 2. Answering paragraph 2 of the first amended complaint, defendants admit  
7 that plaintiffs are attempting to file suit under the cited statutes and that plaintiffs are  
8 attempting to establish jurisdiction under the cited statutes.

9 3. Answering paragraph 3 of the first amended complaint, defendants have  
10 insufficient information to admit or deny the allegations, and on that basis defendants  
11 deny each and every allegation contained therein.

12 4. Answering paragraph 4 of the first amended complaint, defendants admit  
13 that the Estate of Edgar Garcia claims it has appeared by and through Hilda Vasquez.  
14 Defendants deny the remaining allegations of this paragraph.

15 5. Answering paragraph 5 of the first amended complaint, defendants admit  
16 that the City of Santa Paula is a municipal corporation organized and existing under  
17 the laws of the State of California.

18 6. Answering paragraph 6 of the first amended complaint, defendants admit  
19 that the Santa Paula Police Department is an agency of the City of Santa Paula and  
20 provides law enforcement services for the City of Santa Paula.

21 7. Answering paragraph 7 of the first amended complaint, defendants admit  
22 that Ismael Cordero was the interim chief of police for the City of Santa Paula at the  
23 time of the incident giving rise to this litigation.

24 8. Answering paragraph 8 of the first amended complaint, defendants admit  
25 the allegations of the paragraph.

26 9. Answering paragraph 9 of the first amended complaint, defendants admit  
27 the allegations of the paragraph.

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10. Answering paragraph 10 of the first amended complaint, defendants deny the propriety of the use of fictitious name allegations in this action. Because plaintiffs have not identified any person as Does 1 through 50, defendants have insufficient information to admit or deny the allegations of the paragraph, and on that basis defendants deny each and every allegation contained therein.

11. Answering paragraph 11 of the first amended complaint, defendants deny the allegations of the paragraph.

12. Answering paragraph 12 of the first amended complaint, defendants deny the allegations of the paragraph.

13. Answering paragraph 13 of the first amended complaint, defendants admit that plaintiff Hilda Vasquez was required to comply with the administrative claims requirement of California law for state law causes of action.

14. Answering paragraph 14 of the first amended complaint, defendants admit that on July 28, 2012, at approximately 8:00 p.m., Santa Paula police officers answered a residential disturbance call at 1117 New Street, Santa Paula, California 93060, and that Edgar Garcia fled into the backyard of the residence, where he was shot and killed. Defendants admit on information and belief that Edgar Garcia was involved in a confrontation. Defendants deny the remainder of the allegations.

15. Answering paragraph 15 of the first amended complaint, defendants deny the allegations of the paragraph.

16. Answering paragraph 16 of the first amended complaint, defendants admit that Edgar Garcia fired a weapon at and struck Officer Peplinski, then fled into the backyard of the residence, where he was shot. Defendants deny the remainder of the allegations of the paragraph.

17. Answering paragraph 17 of the first amended complaint, defendants have insufficient information to admit or deny the allegations of the paragraph, and on that basis defendants deny each and every allegation contained therein.

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1       18.     Answering paragraph 18 of the first amended complaint, defendants  
2 deny the propriety of the use of fictitious name allegations in this action, and because  
3 plaintiffs have not identified any person as Does 26 to 50, defendants have  
4 insufficient information to admit or deny the allegations of the paragraph, and on that  
5 basis defendants deny each and every allegations contained therein.

6       19.     Answering paragraph 19 of the first amended complaint, defendants  
7 deny the allegations of the paragraph.

8       20.     Answering paragraph 20 of the first amended complaint, defendants  
9 deny the allegations of the paragraph.

10       21.     Answering paragraph 21 of the first amended complaint, defendants  
11 deny the allegations of the paragraph.

12       22.     Answering paragraph 22 of the first amended complaint, defendants  
13 deny the propriety of the use of fictitious name allegations in this action, and because  
14 plaintiffs have not identified any person as Does 1 to 25, defendants have insufficient  
15 information to admit or deny the allegations of the paragraph, and on that basis  
16 defendants deny each and every allegations contained therein.

17       23.     Answering paragraph 23 of the first amended complaint, defendants  
18 deny the propriety of the use of fictitious name allegations in this action, and because  
19 plaintiffs have not identified any person as Does 1 to 25, defendants have insufficient  
20 information to admit or deny the allegations of the paragraph, and on that basis  
21 defendants deny each and every allegations contained therein.

22       24.     Answering paragraph 24 of the first amended complaint, defendants  
23 deny the allegations of the paragraph.

24       25.     Answering paragraph 25 of the first amended complaint, defendants  
25 admit that plaintiffs are seeking damages but deny their applicability to the case at  
26 hand.

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1       26.     Answering paragraph 26 of the first amended complaint, defendants  
2 admit that plaintiffs are seeking damages but deny their applicability to the case at  
3 hand.

4       27.     Answering paragraph 27 of the first amended complaint, defendants  
5 admit that plaintiffs are seeking damages but deny their applicability to the case at  
6 hand.

7       28.     Answering paragraph 28 of the first amended complaint, defendants  
8 admit that plaintiffs are seeking damages but deny their applicability to the case at  
9 hand.

10       29.     Answering paragraph 29 of the first amended complaint, defendants  
11 admit that plaintiffs reallege and incorporate by reference each and every allegation  
12 set forth in the preceding paragraphs, and defendants incorporate their responses to  
13 the preceding allegations of the first amended complaint as though fully set forth  
14 hereat.

15       30.     Answering paragraph 30 of the first amended complaint, defendants  
16 deny the allegations of the paragraph.

17       31.     Answering paragraph 31 of the first amended complaint, defendants  
18 admit that plaintiffs reallege and incorporate by reference each and every allegation  
19 set forth in the preceding paragraphs, and defendants incorporate their responses to  
20 the preceding allegations of the first amended complaint as though fully set forth  
21 hereat.

22       32.     Answering paragraph 32 of the first amended complaint, defendants  
23 deny that decedent was deprived of medical care in violation of his rights under the  
24 Due Process Clause of the Fourteenth Amendment.

25       33.     Answering paragraph 33 of the first amended complaint, defendants  
26 deny the allegations of the paragraph.

27       34.     Answering paragraph 34 of the first amended complaint, defendants  
28 admit that plaintiffs reallege and incorporate by reference each and every allegation

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1 set forth in the preceding paragraphs, and defendants incorporate their responses to  
2 the preceding allegations of the first amended complaint as though fully set forth  
3 hereat.

4 35. Answering paragraph 35 of the first amended complaint, defendants  
5 deny the allegations of the paragraph.

6 36. Answering paragraph 36 of the first amended complaint, defendants  
7 admit that plaintiffs reallege and incorporate by reference each and every allegation  
8 set forth in the preceding paragraphs, and defendants incorporate their responses to  
9 the preceding allegations of the first amended complaint as though fully set forth  
10 hereat.

11 37. Answering paragraph 37 of the first amended complaint, defendants  
12 deny the allegations of the paragraph.

13 38. Answering paragraph 38 of the first amended complaint, defendants  
14 admit that plaintiffs reallege and incorporate by reference each and every allegation  
15 set forth in the preceding paragraphs, and defendants incorporate their responses to  
16 the preceding allegations of the first amended complaint as though fully set forth  
17 hereat.

18 39. Answering paragraph 39 of the first amended complaint, defendants  
19 have insufficient information to admit or deny the allegations of the paragraph and on  
20 that basis deny the allegations.

21 40. Answering paragraph 40 of the first amended complaint, defendants  
22 have insufficient information to admit or deny the allegations of the paragraph and on  
23 that basis deny the allegations.

24 41. Answering paragraph 41 of the first amended complaint, defendants  
25 have insufficient information to admit or deny the allegations of the paragraph and on  
26 that basis deny the allegations.

27 42. Answering paragraph 42 of the first amended complaint, defendants  
28 admit that plaintiffs reallege and incorporate by reference each and every allegation



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1 set forth in the preceding paragraphs, and defendants incorporate their responses to  
2 the preceding allegations of the first amended complaint as though fully set forth  
3 hereat.

4 43. Answering paragraph 43 of the first amended complaint, defendants  
5 deny the allegations of the paragraph.

6 44. Answering paragraph 44 of the first amended complaint, defendants  
7 deny the allegations of the paragraph.

8 45. Answering paragraph 45 of the first amended complaint, defendants  
9 deny the allegations of the paragraph.

10 46. Answering paragraph 46 of the first amended complaint, defendants  
11 deny the allegations of the paragraph.

12 47. Answering paragraph 47 of the first amended complaint, defendants  
13 deny the allegations of the paragraph.

14 48. Answering paragraph 48 of the first amended complaint, defendants  
15 deny the allegations of the paragraph.

16 49. Answering paragraph 49 of the first amended complaint, defendants  
17 deny the allegations of the paragraph.

18 50. Answering paragraph 50 of the first amended complaint, defendants  
19 admit that the Fourth and Fourteenth amendments of the United States Constitution  
20 guarantee the right not to be deprived of life, liberty, and property without due  
21 process of law; the right to be free from unusual searches and seizures; the right to  
22 equal protection of the law; and the right to familial relationships.

23 51. Answering paragraph 51 of the first amended complaint, defendants  
24 admit that plaintiffs reallege and incorporate by reference each and every allegation  
25 set forth in the preceding paragraphs, and defendants incorporate their responses to  
26 the preceding allegations of the first amended complaint as though fully set forth  
27 hereat.

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1       52.     Answering paragraph 52 of the first amended complaint, defendants  
2 deny the allegations of the paragraph.

3       53.     Answering paragraph 53 of the first amended complaint, defendants  
4 deny the allegations of the paragraph.

5       54.     Answering paragraph 54 of the first amended complaint, defendants  
6 have insufficient information to admit or deny the allegations of the paragraph and on  
7 that basis deny the allegations.

8       55.     Answering paragraph 55 of the first amended complaint, defendants  
9 admit that plaintiffs have brought this action under the cited statutes but deny their  
10 applicability to this matter.

11       56.     Answering paragraph 56 of the first amended complaint, defendants  
12 admit that plaintiffs reallege and incorporate by reference each and every allegation  
13 set forth in the preceding paragraphs, and defendants incorporate their responses to  
14 the preceding allegations of the first amended complaint as though fully set forth  
15 hereat.

16       57.     Answering paragraph 57 of the first amended complaint, defendants  
17 deny the allegations of the paragraph.

18       58.     Answering paragraph 58 of the first amended complaint, defendants  
19 admit that plaintiffs reallege and incorporate by reference each and every allegation  
20 set forth in the preceding paragraphs, and defendants incorporate their responses to  
21 the preceding allegations of the first amended complaint as though fully set forth  
22 hereat.

23       59.     Answering paragraph 59 of the first amended complaint, defendants  
24 deny the allegations of the paragraph.

25       60.     Answering paragraph 60 of the first amended complaint, defendants  
26 deny the allegations of the paragraph.

27       61.     Answering paragraph 61 of the first amended complaint, defendants  
28 deny the allegations of the paragraph.



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62. Answering paragraph 62 of the first amended complaint, defendants admit that plaintiffs reallege and incorporate by reference each and every allegation set forth in the preceding paragraphs, and defendants incorporate their responses to the preceding allegations of the first amended complaint as though fully set forth hereat.

63. Answering paragraph 63 of the first amended complaint, defendants deny the allegations of the paragraph.

64. Answering paragraph 64 of the first amended complaint, defendants deny the allegations of the paragraph.

65. Answering paragraph 65 of the first amended complaint, defendants have insufficient information to admit or deny the allegations of the paragraph and on that basis deny the allegations.

66. Answering paragraph 66 of the first amended complaint, defendants admit that plaintiffs reallege and incorporate by reference each and every allegation set forth in the preceding paragraphs, and defendants incorporate their responses to the preceding allegations of the first amended complaint as though fully set forth hereat.

67. Answering paragraph 67 of the first amended complaint, defendants deny the allegations of the paragraph.

#### **AFFIRMATIVE DEFENSES**

1. As and for a first separate and distinct affirmative defense, each and every cause of action asserted against these defendants fails to state a claim upon which relief can be granted.

2. As and for a second separate and distinct affirmative defense, as there is no underlying constitutional violation, defendants cannot be liable, under *City of Los Angeles v. Heller*, 475 U.S. 796 (1986), for any federal claim.

3. As and for a third separate and distinct affirmative defense, the individual officers are entitled to the benefit and protection of the qualified immunity.

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1           4. As and for a fourth separate and distinct affirmative defense, the  
2 defendants or any policymaking individual did not deliberately indifferently adopt,  
3 ratify, or enforce any custom, practice, or policy which deprived the plaintiffs of any  
4 federally protected constitutional rights.

5           5. As and for a fifth separate and distinct affirmative defense, the actions of  
6 the individual officers were not in conscious disregard of the rights of the decedent or  
7 deliberately indifferent to the constitutional rights of the decedent.

8           6. As and for a sixth separate and distinct affirmative defense, punitive  
9 damages against a public entity are not recoverable pursuant to the rationale and  
10 holding of *City of Newport v. Fact Concerts, Inc.*, 453 U.S. 247, 271 (1981).

11           7. As and for a seventh separate and distinct affirmative defense,  
12 defendants allege that no policymaking individual with any entity defendant in this  
13 case consciously decided to adopt, promulgate, or ratify any deliberately indifferent  
14 custom, practice, or policy which actually led to the deprivation of any of plaintiffs'  
15 federally protected civil rights.

16           8. As and for an eighth separate and distinct affirmative defense,  
17 defendants allege that no constitutional violation was committed, so any entity  
18 defendant is not chargeable with a viable federal civil rights cause of action. *Scott v.*  
19 *Henrich*, 39 F.3d 912, 916 (9th Cir. 1994); *Palmerin v. City of Riverside*, 794 F.2d  
20 1409, 1410-1415 (9th Cir. 1986); *Scott v. Clay County*, 205 F.3d 867, 879 (6th Cir.  
21 2000).

22           9. As and for a ninth separate and distinct affirmative defense, the action  
23 and each and every cause thereof would be barred by the plaintiffs' lack of standing  
24 to assert the violation of the decedent's Fourth and Fourteenth Amendment rights if it  
25 is shown that the plaintiffs are not suing in a representative capacity as successors in  
26 interest to the decedent or as a personal representative of his estate, lacking  
27 successorship interest and absence of fulfillment of state-law requirements of  
28 decedent estate administration.



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10. As and for a tenth separate and distinct affirmative defense, the state-law causes of action, including the wrongful death claim, are barred as against the entity defendants because the officers cannot be liable so there is no basis for respondeat superior liability against the entity defendants in accordance with Government Code Section 815.2, which provides that the public entity is not liable for the acts of an employee if the employee is immune from liability, as well as *Thomas v. City of Richmond*, 9 Cal.4th 1154, 1157-1158 (1995), *Collins v. City and County of San Francisco*, 50 Cal.App.3d 671, 673 (1975) and *Perez v. City of Huntington Park*, 7 Cal.App.4th 817, 819-820 (1992).

11. As and for an eleventh separate and distinct affirmative defense, the state-law causes of action are barred by California Government Code Section 820.2, which precludes liability where the act or omission was the result of the exercise of discretion vested in a government official, whether or not such discretion was abused.

12. As and for a twelfth separate and distinct affirmative defense, the state-law causes of action are precluded by the provisions of California Government Code Section 820.4, which provides that a public employee is not liable for his act or omission while exercising due care in the execution or enforcement of any law.

13. As and for a thirteenth separate and distinct affirmative defense, the state-law causes of action are precluded by or diminished in proportion to the plaintiffs' decedent's comparative fault or contributory negligence.

14. As and for a fourteenth separate and distinct affirmative defense, defendants allege that the action is barred by the fact that the defendant's officers did not deliberately and intentionally violate the plaintiffs' rights, were not deliberately indifferent, nor did they possess the requisite *mens rea* or level of fault to be chargeable with a federal civil rights violation.

15. As and for a fifteenth separate and distinct affirmative defense, defendants are immune as to the state-law claims pursuant to California Government Code Section 820.8.

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1       16. As and for a sixteenth separate and distinct affirmative defense,  
2 defendants allege that the decedent acted with full knowledge of all the facts and  
3 circumstances surrounding his alleged injuries and assumed the risk of the matters  
4 causing the alleged injuries, and the matters of which decedent assumed the risk  
5 proximately contributed to and proximately caused the alleged injuries, if any there  
6 were.

7       17. As and for a seventeenth separate and distinct affirmative defense,  
8 defendants allege that plaintiffs had a duty to mitigate their damages and failed to do  
9 so and thereby are barred from recovery of damages flowing from the failure to  
10 mitigate.

11       18. As and for an eighteenth separate and distinct affirmative defense,  
12 defendants are immune as to the state-law claims pursuant to California Government  
13 Code Section 820.6.

14       19. As and for a nineteenth separate and distinct affirmative defense,  
15 defendants allege that at all times herein mentioned, defendant's officers were  
16 performing their duties pursuant to the discretion vested in them; that if plaintiffs  
17 were damaged as a result of the exercise of discretion vested in said employees,  
18 plaintiffs' cause of action is barred.

19       20. As and for a twentieth separate and distinct affirmative defense,  
20 defendants deny that plaintiffs are entitled to attorney's fees in this matter.

21       21. As and for a twenty-first separate and distinct affirmative defense,  
22 defendants are immune from liability because all acts were performed in self-defense  
23 and/or in the defense of others, and the use of force was reasonable under the totality  
24 of the circumstances.

25       22. As and for a twenty-second separate and distinct affirmative defense,  
26 defendants allege that the injuries or damages, if any, sustained by the plaintiffs were  
27 proximately caused by the negligent or unlawful acts or omissions of persons other  
28 than these defendants, and the liability of each defendant and responsible party,



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1 named or unnamed, should be apportioned according to their relative degrees of fault,  
2 and the liability of these answering defendants, if any, should be reduced accordingly.

3 23. As and for a twenty-third separate and distinct affirmative defense,  
4 plaintiffs have failed to comply with the claims presentation and/or filing require-  
5 ments of California Government Code Section 900, et seq.

6 24. As and for a twenty-fourth separate and distinct affirmative defense,  
7 defendants are immune from liability pursuant to the provisions of California Penal  
8 Code Section 148.

9 25. As and for a twenty-fifth separate and distinct affirmative defense,  
10 defendants are immune from liability pursuant to the provisions of California Penal  
11 Code Section 834a.

12 26. As and for a twenty-sixth separate and distinct affirmative defense,  
13 defendants are immune from liability pursuant to the provisions of California Penal  
14 Code Section 835a.

15 27. As and for a twenty-seventh separate and distinct affirmative defense,  
16 defendants allege that they are immune from liability because all acts were performed  
17 in good faith and without malice.

18 28. As and for a twenty-eighth separate and distinct affirmative defense,  
19 defendants allege that any action taken on behalf of the defendants against the  
20 decedent was with reasonable cause to believe that the decedent had committed, may  
21 commit, was committing, or was about to commit a felony or misdemeanor.

22 29. As and for a twenty-ninth separate and distinct affirmative defense,  
23 defendants allege that the force employed, if any, at the time and place mentioned in  
24 the first amended complaint was not excessive or unreasonable under the  
25 circumstances.

26 30. As and for a thirtieth separate and distinct affirmative defense,  
27 defendants allege that they are immune from liability because probable cause existed

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1 which permitted all acts taken regarding the facts alleged in plaintiffs' first amended  
2 complaint.

3 31. As and for a thirty-first separate and distinct affirmative defense,  
4 defendants allege that they are immune from liability because the actions of the  
5 defendants and their employees and/or agents were objectively reasonable.

6 32. As and for a thirty-second separate and distinct affirmative defense,  
7 defendants allege that at all times herein mentioned, defendants were performing their  
8 duties pursuant to the discretion vested in them; that if plaintiffs and/or decedent were  
9 damaged as a result of the exercise of discretion vested in said defendants or their  
10 employees or agents, plaintiffs' cause of action is barred.

11 33. As and for a thirty-third separate and distinct affirmative defense,  
12 defendants allege that plaintiffs' claims and causes of action under the first amended  
13 complaint are barred by reason of the statute of limitations and the doctrine of laches  
14 in that the pleadings were not filed within the proper or reasonable time with respect  
15 to the alleged damages.

16 34. As and for a thirty-fourth separate and distinct affirmative defense,  
17 defendants, their employees, and agents are immune from liability because they had a  
18 reasonable belief in the lawfulness of their conduct and showed good faith.

19 35. As and for a thirty-fifth separate and distinct affirmative defense,  
20 plaintiffs are barred from any exemplary or punitive damages inasmuch as any act or  
21 conduct as may be shown on the part of these answering defendants resulted from  
22 provocative acts, conduct, and words on the part of decedent, and punitive damages  
23 are inappropriate under the statutes, case law, and Constitutions of California and the  
24 United States.

25 36. As and for a thirty-sixth separate and distinct affirmative defense,  
26 defendants allege that as to the supplemental causes of action purporting to state a  
27 claim pursuant to state law, a variety of state statutes protect and privilege the  
28 individual officer's decision to deploy potentially lethal force, including California



1 Penal Code Section 196-2 and Penal Code Section 197-1. Because the officer's use  
 2 of such force was justified by these statutes, the entity defendant is vicariously  
 3 exonerated as well in accordance with California Government Code Section 815.2(b).

4 37. As and for a thirty-seventh separate and distinct affirmative defense, the  
 5 state-law causes of action are precluded by the fact that the homicide was justifiable  
 6 in accordance with California Penal Code Section 196 in that a police officer who  
 7 kills someone has committed a justifiable homicide if the homicide was necessarily  
 8 committed in overcoming actual resistance to the execution of some legal process or  
 9 in the discharge of any other legal duty, and there can be no civil liability under  
 10 California law as the result of a justifiable homicide in accordance with *Gilmore v.*  
 11 *Superior Court*, 230 Cal.App.3d 416, 420-423 (1991).

#### 12 PRAYER

13 WHEREFORE, these answering defendants, having fully answered plaintiffs'  
 14 first amended complaint, pray for judgment in favor of defendants, for costs of suit  
 15 incurred herein, for attorney's fees pursuant to 42 U.S.C. §1988, and for such other  
 16 and further relief as the Court deems just and proper.

17  
 18 DATED: December 20, 2013

WISOTSKY, PROCTER & SHYER

19  
 20 By: 

21 Dirk DeGenna  
 22 Attorneys for Defendants,  
 23 CITY OF SANTA PAULA, SANTA  
 24 PAULA POLICE DEPARTMENT, ISMAEL  
 25 CORDERO, HECTOR RAMIREZ and  
 26 CHAD PEPLINKSI  
 27  
 28


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**DEMAND FOR TRIAL BY JURY**

Defendants CITY OF SANTA PAULA, SANTA PAULA POLICE DEPARTMENT, INTERIM CHIEF ISMAEL CORDERO, OFFICER HECTOR RAMIREZ, and OFFICER CHAD PEPLINKSI hereby demand a trial by jury.

DATED: December 20, 2013 WISOTSKY, PROCTER & SHYER

By:

  
Dirk DeGenna  
Attorneys for Defendants,  
CITY OF SANTA PAULA, SANTA  
PAULA POLICE DEPARTMENT, ISMAEL  
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